

# Legal



# Volunteers

**Judicial Districts 12 & 14**

***THE HONORABLE J. TERRENCE CODY, CHAIRPERSON DISTRICT 14  
NANCY D. RESCHAR, PLAN ADMINISTRATOR***

***PROUDLY SERVING CLARK, CRAWFORD, FLOYD, HARRISON,  
ORANGE, SCOTT & WASHINGTON COUNTIES IN INDIANA***

## **FOREWORD**

Note to Reviewer:

In 2001, District 14 made the important decision to merge available funds with District 12. You will learn as you study the forthcoming report our reasons for uniting the programs. For purposes of this report, we thought it helpful that you know our programs are working as one. Reports submitted by Districts 12 & 14 will be similar in content as they are actually the result of a single mission and plan broken into two summaries. The programs share one plan administrator responsible for submission of the annual report.

The reports vary only when we attempt to relay dissimilarities of the programs. District 12 and 14 differ somewhat in their progress as the District 14 program was in process prior to Rule 6.5 and has developed more quickly because of its head start.

We wish to thank you in advance for your consideration.

Cordially,

Legal Volunteers Districts 12 & 14 Advisory Boards

---

Respectfully Submitted,

Judge Cecile Blau  
Outgoing Chairperson

Judge J. Terrence Cody  
Incoming Chairperson

Legal Volunteers of District 14

# **INDIANA JUDICIAL DISTRICT 14**

**Clark, Crawford, Floyd, Harrison, Orange, Scott, & Washington**

## **2002-2003 ANNUAL PRO BONO REPORT AND PLAN**

**This Annual Pro Bono Report and Plan is made pursuant to Rule 6.5 of the Indiana Rules of Professional Conduct. The goals of this plan are as follows:**

To enable Indiana attorneys to discharge their professional responsibilities to provide civil legal pro bono services;

To improve the overall delivery of civil legal services to persons of limited means by facilitating the integration and coordination of services provided by pro bono organizations and other legal assistance organizations throughout the state of Indiana;

To ensure statewide access to high quality and timely pro bono civil legal services for persons of limited means by (i) fostering the development of new civil legal pro bono programs where needed and (ii) supporting and improving the quality of existing civil legal pro bono programs;

To foster the growth of a public service culture within the Indiana Bar which values civil legal pro bono publico service;

To promote the ongoing development of financial and other resources for civil legal pro bono organizations in Indiana;

# LEGAL VOLUNTEERS OF DISTRICT 14 ANNUAL REPORT

## TABLE OF CONTENTS

	<u>Page No.</u>
• PROGRESS JULY 2001 – JUNE 2002-----	5
• ADVISORY BOARD VOLUNTEERS-----	7
• PROGRAM GOVERNANCE-----	10
• PROGRAM ROOTS – OUR HISTORY-----	10
• PLAN ADMINISTRATOR-----	11
• MONITORING OUR PROGRESS	
✓ Quality of our Services-----	12
✓ Quantifying our Services-----	13
• IDENTIFYING SIMILAR SERVICES-----	13
• RECOGNIZING OUR FUNDING SOURCES-----	14
• DISTRICT 14 STATISTICAL ANNUAL PROGRESS REPORT--	18
• 2003 PLANS-----	19
• BARRIERS TO ACCESSING JUSTICE-----	19
• PROVIDING SUPPORT TO OUR LEGAL VOLUNTEERS-----	22
• FUNDING REQUEST-----	25
• APPENDICES-----	27

## **Legal Volunteers of District 14 – Let’s review our progress!**

“...to volunteer legal time and talents assuring the poor, elderly and disabled representation within our legal system” is the mission of Legal Volunteers of Judicial District 14 in Indiana. Simple but complete, this statement summarizes the spirit of our pro bono program. Legal Volunteers traces its roots to the flourishing pro bono delivery system formed first in 1994 by the Floyd County Bar Association and joined by the Clark County Bar Association. Utilizing this base system District 14 is working to assure that our approach attains the Rule 6.5 hallmarks as outlined, namely, centrality of client needs, direct representation, accountability, continuity.

In 2001 District 14 advisory board determined the need to expedite the appointment of an administrator to fulfill the responsibilities of the program. A person dedicated to the day-to-day mission as articulated in Rule 6.5 was a must for our program to proceed. With financial constraints a defining factor to this appointment, the board rendered the critical decision to coordinate efforts and funds with District 12. Nancy Reschar was appointed to administer the similar programs of Districts 12 & 14. This was a logical marriage of resources as both districts have programs formed with a like referral agent, Indiana Legal Services, Inc. Both districts are primarily rural in character and problematic areas of law are similar. The districts are geographically adjacent making travel by one administrator possible. The union of funding has proved to be a foundation for growth in both districts.

The core of our current pro bono delivery is coordination with Indiana Legal Services, Inc. which refers cases they cannot consider or accept because of regulations, conflicts, or lack of resources. Our plan administrator then carefully analyzes each case and seeks to match clients with legal associates according to area of law and geographic location. At every opportunity we recruit new volunteers to assist the growing numbers of eligible clientele. As our marketing tools propagate word of our program, the need for volunteers swells.

In plan years July 2001/June 2002, District 14 made significant progress in developing an identity for the program. We have a name, a mission, a recognizable logo<sup>1</sup> and educational brochures<sup>2</sup>. Tools for the future! We are creating a positive, nurturing environment for our deserving clients and a program in which our volunteers proudly serve.

Integral to our program’s success are our ongoing efforts to publicize our service to our potential clientele and then recruit legal volunteers to advise and represent

---

<sup>1</sup> See Appendix 1 – Logo/Letterhead

<sup>2</sup> See Appendix 2 - Recruitment Brochure, Client Brochure

this public. In spring 2002 we appreciated participating with Indiana Legal Services, Inc. in a priorities setting forum<sup>3</sup>. This forum has not only served as a tool to identify the needs of the poor in District 14, it provided numerous social service organizations an introduction to our program. Our aforementioned client brochures are hot off the press and their distribution will further inform potential clients of our availability.

In accordance with the expected increase of clientele, we have developed an attorney recruitment brochure. Ongoing and special recruitment events are a never-ending aspect of our plan.

In May of 2002 we proudly held our first legal volunteer recognition event<sup>4</sup>. The Sherman Minton Inn of Court was extremely generous in allowing our program a time slot within their regularly scheduled meeting to recognize our successes and the stars in our program. Association with the Sherman Minton Inn of Court raised the status of our program with the local bar. Just from the presentation of the pro bono message at that event we have enrolled eight new attorneys to our program. Relaying our mission and successes is a great tool!

District 14 is especially proud of the in-roads we have made into supplemental funding. Proposal writing efforts of our board members and administrator have resulted in the winning of \$16,500 restricted funding to our litigation pool. This is a collection of grant awards beginning in March , 2001. A \$5000 grant from United Way Clark County was awarded in March of 2002. Our funding challenges to law firms and individual attorneys netted \$6570 in 2001 and \$4050 thus far in 2002 for general program funding<sup>5</sup>. We are excited about the program support exemplified by these donations to our program.

Identifying the needs of our clients is a priority and the more uncomplicated part of the pro bono puzzle. One only needs to log and categorize referrals to see that the problems of the poor in District 14 are rooted soundly in family law issues. As a function of our ongoing record keeping and monitoring of client issues, the advisory board is provided an analysis of client issues monthly along with the district's success in referring the cases<sup>6</sup>. This conclusion was reinforced at our priorities forum this spring, 2002. Divorce issues far out number all other issues and all too often issues of abuse are involved. Other family issues include custody and visitation. Also common to District 14 are issues of the elderly and the disabled. These issues often include housing and debt management.

---

<sup>3</sup> See Appendix 3 - Priorities Forum Report, Pictures

<sup>4</sup> See Appendix 4 – Recognition Event pictures

<sup>5</sup> See Appendix 5 – 2001 and 2002 Income Analysis

<sup>6</sup> See Appendix 6 – Sample Case Log

## **Legal Volunteers District 14 – Our Board Volunteers**

Magistrate Ken Abbott  
C/o Superior Court #3  
City/County Building  
Jeffersonville, In 47130  
Phone: 812-282-6316  
[kra@iglou.com](mailto:kra@iglou.com)  
Rule 6.5 (f)(1) Category B

Douglas Bates, Attorney at Law  
Stites & Harbeson  
PO Box 946  
Jeffersonville, In 47131  
Phone: 812-282-7566  
Rule 6.5 (f)(1) Category B

Linda Bourne  
infolink  
1301 Akers Avenue  
Jeffersonville, In 47130  
Phone: 812-288-1067  
[infolink@aye.net](mailto:infolink@aye.net)  
Rule 6.5 (f)(1) Category C

Brian Dotts  
Indiana Legal Services, Inc.  
3303 Plaza Drive, Ste. 5  
New Albany, In 47150  
Phone: 812-945-4123, Ex 29  
[Brian.dotts@ils.net](mailto:Brian.dotts@ils.net)  
Rule 6.5 (f)(1) Category B

John Evans, Attorney at Law  
219 North Capitol Avenue, PO Box 640  
Corydon, In 47112  
Phone: 812-738-6100  
Rule 6.5 (f)(1) Category B

Barbara Anderson  
Executive Director Haven House Services  
827 E. Maple Street  
Jeffersonville, In 47130  
Phone 812-284-3373, Ex 105  
[Band4280@aol.com](mailto:Band4280@aol.com)  
Rule 6.5 (f)(1) Category C

Judge Cecile Blau  
Clark County Superior Court #2  
City/County Building  
Jeffersonville, In 47130  
Phone: 812-285-6333  
[cblau@protegra.net](mailto:cblau@protegra.net)  
Rule 6.5 (f)(1) Category A

Judge J. Terrence Cody  
Floyd County Circuit Court  
City-County Bldg., 311 W. 1<sup>st</sup> Str.  
New Albany, In 47150  
Phone: 812-948-5455  
[circuit@floydcounty.in.gov](mailto:circuit@floydcounty.in.gov)  
Rule 6.5 (f)(1) Category A

Lynne Ellis, Attorney at Law  
Duncan & Ellis, P.C.  
551 South Maple  
French Lick, In 47432  
Phone: 812-936-7288  
Rule 6.5 (f)(1) Category B

Leah Fink, Attorney at Law  
209 North Capitol Avenue  
Corydon, In 47112  
Phone: 812-738-6100  
Rule 6.5 (f)(1) Category B

Mary Fondrisi, Attorney at Law  
Smith, Bartlett, Heeke, Carpenter, &  
Thompson  
209 E. Chestnut Street  
Jeffersonville, In 47130  
Phone: 812-282-7736, Ex 242  
[fondrisi@iglou.com](mailto:fondrisi@iglou.com)  
Rule 6.5 (f)(1)Category B

Greg Gapsis  
V.P. Mediation First  
8175 Old Vincennes Road  
Greenville, In 47124  
Phone: 812-923-7696  
[gapsis@mac.com](mailto:gapsis@mac.com)  
Rule 6.5 (f)(1)Category C

Joni Grayson, Attorney at Law  
Vissing, Grayson, Leverett  
432 E. Court Avenue  
Jeffersonville, In 47130  
Phone: 812-288-5141  
Rule 6.5 (f)(1)Category B

Shirley Hawkins  
Harrison County Community Services  
PO Box 308  
Corydon, In 47112  
Phone: 812-738-8143  
[shawkins@aol.com](mailto:shawkins@aol.com)  
Rule 6.5 (f)(1)Category C

Robert Houston, Attorney at Law  
49 East Wardell Street  
Scottsburg, In 47170  
Phone: 812-752-5920  
Rule 6.5 (f)(1)Category B

Brad Jacobs, Attorney at Law  
Mosley, Bertrand, Jacobs & McCall  
501 E. Court Avenue  
Jeffersonville, In 47130  
Phone: 812-282-9000  
[bjacobs@aye.net](mailto:bjacobs@aye.net)  
Rule 6.5 (f)(1)Category B

Pat Jewell  
Lifespan Resources  
PO Box 995  
New Albany, In 47150  
Phone: 812-948-8330  
[patjewell@lifespanresource.org](mailto:patjewell@lifespanresource.org)  
Rule 6.5 (f)(1)Category C

Gary Leavell  
Workforce Development  
3110 Grant Line Road  
New Albany, In 47150  
Phone: 812-948-6102  
[gleavell@dwd.state.in.us](mailto:gleavell@dwd.state.in.us)  
Rule 6.5 (f)(1)Category C



Brigitta Lindsey  
1223 Harmony Lane, apt. 57  
Jeffersonville, In 47130  
Phone: 812-288-8703  
[Brigitta9@aol.com](mailto:Brigitta9@aol.com)  
Rule 6.5 (f)(1)Category C

Allen Platt, Attorney at Law  
Lorch & Naville  
PO Box 1343  
New Albany, In 47150  
Phone: 812-949-1000  
[aplatt@lorchnaville.com](mailto:aplatt@lorchnaville.com)  
Rule 6.5 (f)(1)Category B

Gregory Reger, Attorney at Law  
Lorch & Naville  
506 State Street, PO Box 1343  
New Albany, In 47151  
Phone: 812-949-1000  
[Greger@lorchnaville.com](mailto:Greger@lorchnaville.com)  
Rule 6.5 (f)(1)Category B

J. Mark Robinson, Managing Attorney  
Indiana Legal Services, Inc.  
3303 Plaza Drive, Ste. 5  
New Albany, In 47150  
Phone: 812-945-4123. Ex. 28  
[Mark.robinson@ils.net](mailto:Mark.robinson@ils.net)  
Rule 6.5 (f)(1)Category B

Tom Scifres, Attorney at law  
Mead, Mead & Clark, P.C.  
108 E. Market St., PO Box 468  
Salem, In 47167  
Phone: 812-883-2207  
[tscifres@salemlaw.com](mailto:tscifres@salemlaw.com)  
Rule 6.5 (f)(1)Category B

Carrie Stiller, Attorney at Law  
Gray & Stiller  
PO Box 8002  
New Albany, In 47151  
Phone: 812-948-5053  
[ckstiller@grayandstiller.com](mailto:ckstiller@grayandstiller.com)  
Rule 6.5 (f)(1)Category B

Bryan Wickens, Attorney at Law  
Frost, Brown, Todd  
120 West Sprint, Ste. 400  
New Albany, In 47150  
Phone: 812-948-2800  
[bwickens@fbtlaw.com](mailto:bwickens@fbtlaw.com)  
Rule 6.5 (f)(1)Category B

James Williams, Attorney at Law  
Middleton & Reutlinger  
2500 Brown & Williamson Twr.  
Louisville, Ky 40202  
Phone: 502-625-2783  
[jwilliams@midreut.com](mailto:jwilliams@midreut.com)  
Rule 6.5 (f)(1)Category B

John Woodard, Attorney at Law  
Wyatt, Tarrant & Combs  
500 W. Jefferson Street  
Louisville, Ky 40202  
Phone: 812-562-7148  
[jwoodard@wyattfirm.com](mailto:jwoodard@wyattfirm.com)  
Rule 6.5 (f)(1)Category B

## **Legal Volunteers District 14 – Our Governance Plan**

The Legal Volunteers of Judicial District 14 Advisory Board currently consists of twenty-seven members whose terms stagger over a 3-year time period. The incoming chairperson, The Honorable J. Terrence Cody, has agreed to a three-year term. As seen above membership leans appropriately to our legal community; however, we are most fortunate to have active representation and input from social service leadership in our community. Also serving are representatives from ILS and one representative from the state Pro Bono Commission. We currently have one client representative on our board. Again, we are fortunate to have “active” client membership providing invaluable community-need information. A second client representative is being recruited for board membership as well.

District 14 Advisory Board meets on the second Tuesday of alternating months. Committees meet in interim months in coordination with the plan administrator’s task distribution. Current active committees include:

Executive, Marketing, Recruitment, Budget & Spending, Funding, and Prisoners Civil Issues

Committee membership is not limited to Board membership, thus enabling our program to utilize even more of our valuable community resources.

## **Our History**

Judicial District 14 includes counties Clark, Crawford, Floyd, Orange, Scott, and Washington in southeastern Indiana. Clark and Floyd counties are complemented with both populated and rural areas, providing advantages of litigation access due to more dense populations. The remaining five counties of our district are more rural in character. Crawford County is traditionally known as one of the most poverty stricken counties in the state of Indiana. Access to justice takes on new meaning in rural districts where litigators are not so numerous and transportation is not readily available.

In 1994, the Floyd County Bar Association developed the pro bono delivery system that serves as the foundation of our current program. Subsequently, the Clark County Bar Association joined forces with Floyd County to form the program in existence when the Rule 6.5 Committee was formed.

Appointed by the Indiana Supreme Court as our first chairperson, The Honorable Cecile Blau unselfishly endeavored to broaden the scope of the preexisting program utilizing her vision and influence in District 14. She went about the task of assembling a diversified and qualified advisory board to implement the spirit of

Rule 6.5. Decision was made by this board to establish the program utilizing Indiana Legal Services, Inc. as our fiduciary and our 501 c (3) affiliate in the initial stages of our program formation. Trademarks of Judge Blau's three-year governance in District 14 pro bono efforts are organization of monthly planning sessions to set a foundation for future growth, board member selection and solicitation, seeking and challenging alternative funding sources and pioneering the means to acquire a dedicated administrator.

From its outset, District 14 has coordinated efforts with Indiana Legal Services, Inc. Utilization of their existing screening, monitoring and income/asset guideline structure serves as a logical and vital format from which our pro bono service receives its referrals. As our program has needed time to establish identities, guidelines and procedures with limited personnel, using the accounting process of ILS was an excellent interim solution providing financial accountability to our funding sources.

### **District 14 Plan Administrator**

Legal Volunteers of District 14 was not only aware that Rule 6.5 required the employment of a plan administrator, we soon became aware that the needs of a viable program required a dedicated administrator. Enormous effort was exhibited by our board members in the early stages of development, but as with most of us, they all have real and cumbersome commitments in their professional and family lives. Dedication to referral detail, recruitment, funding, budgeting, etc. by a strictly volunteer organization is not practical in the long term.

Likewise District 12, our neighboring district, sought a way to financially adhere to Rule 6.5 and serve their community more uniformly. Consequently, the union of District 12 & District 14 was undertaken. Legal Volunteers of Judicial Districts 12 & 14 was spawned. In August of 2001 a Plan Administrator was appointed to handle the destiny of the newly formed union.

Nancy Reschar was appointed to the position of administrator with responsibilities to the committee as follows:

- Coordination with Indiana Legal Services
- Client Intakes, Referrals, Communication and Case Followup Including Associated Clerical Detail
- Maintain Client/Attorney Data Bases
- Facilitate and Account for Litigation Restricted Funds
- Attorney Recruitment, Retainment, Data Base, Education, Case Coordination
- Funding, Proposal Writing, Grant Followup and Reporting
- Budget & Spending
- Marketing Program
- Organize, Facilitate and Report all Board and Committee Meetings

Coordination with Social Service Organizations  
Policies & Guidelines  
One day per week set aside for intake assistance to ILS  
Bar Association Presentations

The Plan Administrator position is funded with IOLTA Grant Funding supplemented by our other funding sources.

## **Monitoring the Progress of our Program**

### **Quality of our Service**

The District 14 Advisory Board depends largely on reporting practices of the administrator to monitor the progress and success of the program. The administrator outlines committee developments and progress monthly at full board meeting or executive committee meeting. These developments are documented in meeting minutes.<sup>7</sup>

District 14 is fortunate to boast two members of the judiciary serving on its advisory board. In their position from the bench the judiciary is able to monitor workings of the program via client and attorney input. Good news or bad our judges have access to community response and convey that input to the board/committees on a regular basis.

In addition, the plan administrator has developed two evaluation forms that are sent to clients and attorneys when cases close<sup>8</sup>. These evaluations request information regarding program performance, accessibility, accountability and quality. Often thoughts and ideas from these evaluations form program guidelines to make us better in the future. Attorneys tend to let us know their guidelines for pro bono service. All of these viewpoints help form the pro bono deliverance our legal volunteers are willing to offer.

---

<sup>7</sup> Sample Meeting Minutes

<sup>8</sup> See Appendix - Case Evaluations

## **Quantifying our Services**

Current Legal Volunteer Enrollment by county:

Clark –	46
Crawford -	0
Floyd -	68
Harrison -	8
Orange	2
Scott	10
Washington	<u>5</u>

**TOTAL DISTRICT ENROLLMENT JUNE 30, 2002 – 138<sup>9</sup>**

**CLIENTS SERVED JULY 1, 2001 THROUGH JUNE 30, 2002 – 158**

Attributing pro bono hours to a specific timeframe is somewhat difficult; however, we are asking our attorneys to detail pro bono hours by case and by year. In future we hope to report pro bono hours by calendar year regardless of the year the case was referred. Reported pro bono hours for 2001 case referrals are 518. This does not include hours expended in 2001 on prior year case referrals. We have logged 90 plus hours in 2002. This is far from an accurate figure, as many 2001 and 2002 case referrals remain open and hours unreported until case closing.

## **Identifying and Coordinating Similar Services Within our District**

An array of social services is available in all of our district counties; however, providing access to justice is a service accomplished by a limited organizational base. Prior to the establishment of the pro bono delivery of legal services, Indiana Legal Services was the only organized effort in all of District 14. It is a well-known fact that their resources cannot begin to assist or advise the large number of persons in poverty. Their involvement in the earliest Floyd County Bar Association pro bono program evidences their coordination and support of the program. We continue to work hand-in-hand with ILS.

A form of organized legal aid is undertaken by Barbara Anderson, Director of Haven House, a district homeless shelter. Ms. Anderson calls on a panel of attorneys she has established for legal assistance. The poor of Haven House often are directed to ILS and accordingly the pro bono program.

---

<sup>9</sup> Participating Attorney List

Without saying, pro bono delivery of legal assistance to the poor is an everyday occurrence among our legal community. Especially in the outlying counties, attorneys have given of their time and talents to assist the poor. One of our tasks is to educate these legal volunteers to the benefits of an organized program and recruit them to our legions.

District 14 in Indiana is primarily made up of rural communities dotted throughout our beautiful sprawling countryside. Clark & Floyd Counties are the most densely populated counties as suburbs of the Louisville metropolitan community. As we do not experience the congestion of inner-city population density, legal services to the poor are not abundant. Indiana Legal Services, Inc., serves as the only organized legal aid to our communities. Our program is designed to compliment their services.

Unidentified by statistics is the numerous amount of pro bono work, especially in more rural areas, that is provided by our attorneys and the judiciary. In our recruitment efforts, we point out to these caregivers the benefits of enrolling in our organized effort such as ascertainment of eligibility, acknowledgement of adherence to Rule 6.5, client coordination and followup, a channel to fulfill your community obligation, but with the outlet to cordially deny service when not appropriate, etc.

### **Saluting our Gracious Funding Sources**

Our district has been successful in fund-raising efforts. Partners to date include grants from:

Harrison County Community Foundation, Caesar's Foundation, Cinergy and the United Way of Clark County

The following district law firms have graciously donated funding in support of our program and our cause:

Frost, Brown, Todd, LLC; Kightlinger & Gray, LLP, Lorch & Naville, LLC; Middleton Reutlinger; Wyatt, Tarrant & Combs, LLP

Individual donators include:

The Honorable Cecile Blau & Henry Faurest, The Honorable J. Terrence Cody & Peggy, Jim William, Esq. & Barbara; Sandra W. Lewis, Esq. & Terry

Immeasurable is the in-kind donation of Indiana Legal Services, Inc. in the way of office space, office equipment, accounting services, supplies, administrator benefits package, malpractice insurance for our legal volunteers and invaluable legal support of the plan administrator.

District 14 Advisory Board acknowledges its responsibility to constantly pursue and challenge alternative funding sources to enhance program activities and alleviate total dependency on IOLTA funding.

**EXISTING SERVICE/PROGRAM**

**Service/Program Name:** Indiana Legal Services, Inc.

**Mailing Address:** 3303 Plaza Drive, Ste. 5, New Albany, In 47150

**Phone:** 812-945-4123

**Contact Person:** Brian W. Dotts

**Title:** Office Manager

**Sponsoring Agency:**

**Phone:**

**Agency Director:**

**Service/Program Information:**

**Target Population:** Poverty population whose income falls 125% below the poverty level

**Eligibility RequirementsService Area:** Based on federal poverty guidelines

**Type of Service/Program:**

**Estimate of Expense per Year:** \$280,347

**Funding Source(s):** Legal Services Corporation

**Service /Program Description:** Indiana Legal Services, Inc. is a not-for-profit

Organization dedicated to providing high quality legal representation and advice

to low income people



**Legal Service Provider  
Annual Progress Report**

**2001**

	Legal Service Provider _____
Screened Cases	1,434
Assigned Cases	682
Closed Cases	416
Declined Cases	752
Other Cases: (specify)	
Number of Attorneys	4

List Number of Cases of Each Type	Legal Service Provider _____
Consumer/Finance	126
Education	3
Employment	3
Family	331
Juvenile	8
Health	16
Housing	43
Income Maintenance	20
Individual Rights	4
Other*	9
Total Number of Cases	563

**District ( 14 )**  
**Statistical Progress Report**  
**July 1, 2001 thru June 30, 2002**

	District Totals
Screened Cases	220
Assigned Cases	158
Closed Cases	154
Declined Cases	62
Other Cases: (specify)	
Number of Volunteer Attorneys	138

List Number of Cases of Each Type	District Totals (Cases Referred to Program)
Consumer/Finance	11
Education	
Employment	
Family	191
Juvenile	
Health	
Housing	7
Income Maintenance	4
Individual Rights	
Other*	7
Total Number of Cases	220

### **District 14 Plans for 2003**

Much has been achieved in District 14 with limited, dedicated staff. Much remains to be accomplished. With educational tools in hand, primary recognition of our attorneys accomplished and our program firmly in place, the remainder of 2002 will be dedicated to identifying our program to its target public and recruiting volunteers to assist with legal problems.

In 2003 our objectives are to refine existing program procedures, continue exploring alternate funding sources, double efforts to make the availability of our program known, constantly recruit and educate our legal volunteers through presentations and networking, and seek to implement new opportunities to acknowledge and thank our legal service givers.

By way of special projects, we will endeavor to implement community forums utilizing our attorneys. We envision educational events regarding housing law, bankruptcy/debt counseling, will/estates, pro se proceedings, etc. Currently there is a vast resource in our legal community, attorneys who do not practice in day-to-day pro bono cases, but who are more than willing to speak and answer pressing legal questions in an open-forum setting. It is an important responsibility to recognize and utilize all of our resources.

### **Barriers Facing Access to Justice in District 14**

The call of Rule 6.5 issues many challenges to Indiana pro bono programs. District 14 barriers to fulfilling the overwhelming mission of providing avenues to justice for the poor are as follows:

**Demographics** – District 14 includes seven counties in southeastern Indiana. The counties are primarily rural and sparsely populated. Sprawling farmlands, grassy knolls, and wooded areas are the rule in the more than 2400 square miles of coverage area assigned to the District 14 Legal Volunteers Program. Nonexistent are large cities or heavily populated areas providing centrality of legal aid services. Our program must reach the dispersed masses as opposed to a district such as the Indianapolis area where people in poverty are more centralized and accessible. Reaching out to our target population poses our most significant barrier. This is an objective of the current year and future years until the program availability is widely known and accessible.

U.S. Census figures of 2000 verify the need to reach our families in poverty. District 14 averages 7.96% families-in-poverty rate. Crawford County alone experiences a families-in-poverty rate of 11.1%. Our most rural and outlying counties, Crawford, Orange, Scott and Washington experience an average families-in-poverty rate of 9.48%. The need to reach both our target population and our volunteer base is vital as suggested by these statistics.

In 2003 District 14 will utilize the educational tools developed in 2002 to reach out. Concerted efforts are planned to “take our show on the road”. The Plan Administrator is housed in Floyd County. Our program is gaining in stature and recognized in Floyd and Clark County because of the administrator availability and the continuous accessibility to courts, attorneys and the judiciary. Presentations, delivery of educational materials, and networking in the far reaches of the rural counties is planned for 2003. There is a need to demonstrate to our legal volunteer base the structure, security and advantages of the pro bono program. We want their support and want them to know the ways we will support their efforts.

By the end of 2003 our program will reflect an increase in our volunteer base in the rural areas of the district and an increase in awareness of our program. People in poverty who now cannot be assigned representation will have attorney resources available. We will focus on educating social service organizations who have contact with individuals who need pro bono legal assistance.

Costs associated with this barrier are reflected in the submitted budget in the areas of printing for educational brochures and increased travel expenditures for plan administrator and others.

**Attorney Recruitment** – Never will there be sufficient volunteers to assist the poor. Each day meritorious cases are turned away with no referral available to allow their access to justice. District 14 acknowledges this as another of the ongoing barriers. Efforts to equalize volunteers to cases are another of the 2002 challenges that will be present in 2003 and thereafter.

Support of this disparity can be seen in the District 14 data illustrating screened cases vs. assigned cases. A more in-depth look at those statistics county-by-county again illustrates the need to concentrate efforts in our rural counties.

As a district we will be presenting our case at any venue available where an assembly of legal caregivers are convened. Contacts localized to communities are to be established and the assistance of local community leaders employed. Networking is seen as vital to recruitment efforts. Preparing board members to be constantly on the recruitment trail is another important ingredient to our success. Enlisting the active support of the judiciary is the most successful recruitment tool. A need to educate our rural judiciary clearly exists.

The expected result is an increase in our volunteer base. More precisely we expect an increase in our volunteer base in the rural areas. Very simply, an increase in attorneys accepting cases equates to the benchmark – an increase in the number of people in poverty realizing access to justice.

Costs associated with the realization of this benchmark includes an increase in printing and developing educational tools for recruitment, travel for those involved, and postage costs for mailings to prospective volunteers.

**Family Law Referral** – District 14 successfully enrolls new attorneys consistently primarily due to the efforts of our judiciary. These new enrollees are given the opportunity to choose the type of case they will accept. Unfortunately, their choices are not in the areas of law most needed by people in poverty. Educating our new and current enrollees to our program needs and providing avenues for them to accept family law cases is an objective for 2003.

District 14 statistics confirm that roughly 95% of the cases referred to our program are in the area of family law. Divorce, all too often with abuse issues, is our leader. Conversely, our enrollees choose family law as a practice area at a rate of approximately 35%. In actuality, Clark and Floyd County enrolled volunteers could service most of the cases currently screened if attorneys were volunteering in the family law area.

Again we will educate our enrollees by way of presentation, networking and taking advantage of every opportunity to communicate this problem. Routine mail communications to our volunteers is a recommended action to convey the weakness and strengths of the program as well as its wants and needs.

It is a pleasure to witness the response to a sincere “cry for help”. We expect our educational efforts and appeals to achieve a number of reconsiderations from our existing enrollees. New enrollees are encouraged to help in at least one area of family law. A measurable difference in the percentage of our volunteer base selecting the family law area will be the benchmark for this barrier, again resulting in more cases referred, serviced and closed.

Costs associated with this action will be primarily printing and mailing. Development of a quarterly newsletter and its related printing/mailing costs are included in the budget request.

**Alternative Funding Sources** – District 14 has been fortunate in its fund raising efforts; however, Rule 6.5 defines an array of responsibilities for Indiana pro bono programs. Embracing the totality of the rule necessitates funding over and beyond that available through IOLTA. Expansion of the program requires constantly seeking alternative funding sources.

We know the statistics. We know the numbers of persons in poverty. We know their needs are different. Our data indicates different areas of law, different nationalities, different languages, different abilities to access help, etc. Our program approach in the future must diversify and expand to accommodate.

The program will continue to identify and make appeal to alternative funding sources. Most beneficial in this area is the involvement of our board members whose diverse backgrounds and responsibilities enable our district to be successful. Again, our efforts will intensify in outlying counties.

Increased funding will secure our current program's future plus the luxury of new and innovative projects within the program. Again the benchmark will be seen by the number of people in poverty serviced by new and diverse approaches to accessing justice.

Time consumed by the plan administrator will be the primary cost of this benchmark. Also, a need for additional personnel might be required as the demand on time increases within the administrator position.

### **Here's How we Provide Support to our Legal Volunteers in District 14**

#### **X Providing intake, screening, and referral of prospective clients:**

Our plan administrator currently assists Indiana Legal Services personnel with the intake process. Our procedure takes the administrator through Indiana Legal Services process screening for eligibility, merit of legal issue and best use of legal resources. After this process the cases referred to the pro bono program are then again screened in accordance with resource availability. Factors such as severity of impact on the family, likelihood of the applicant finding help elsewhere, and possibility of violent situations are weighed to make the best use of our limited volunteer base.

#### **X Matching cases with individual attorney expertise, including the establishment of specialized panels:**

Our volunteer attorneys are asked upon enrollment in the program to advise of their expertise and their preferred areas of law. Cases are assigned on the basis of that preference and on the basis of geographic accessibility for the client and the attorney.

Our newest committee addresses a special interest group whose appeals are referred to our program regularly. Defense of the civil issues of prisoners within our district have not been addressed. A panel is now in force to review these requests and recommend assignment if meritorious.

#### **X Providing resources for litigation and out-of-pocket expenses:**

Creating a fund for litigation expenses is seen as a vital responsibility of the Legal Volunteers program. This fund serves as an incentive to our attorneys to offer legal representation on a scale equaling the paying client. Our clients gain

from the benefits of a legal caregiver free to make expenditures for necessary legal costs.

Our grant requests to date have been for additions to this fund. We have won various grant monies amounting to \$16,500 for litigation funding. As much of this money is restricted by county, we will continue to include litigation funding as a part of our IOLTA grant request.

**X Providing legal education and training for pro bono attorneys in specialized areas of law useful in providing pro bono civil legal service:**

To date we have offered no training or education for our legal volunteers. We have enrolled volunteers willing to mentor and assist other attorneys in areas of law or individual casework.

Educational seminars (CLE approved) are an objective project for our program in the future. Our district attorneys have taken advantage of pro bono CLE opportunities offered in the Indianapolis area.

**X Providing the availability of consultation with attorneys who have expertise in areas of law in which a volunteer lawyer is providing pro bono civil legal service:**

Attorneys in our program and on our advisory board have volunteered and are registered to assist and mentor those unfamiliar with an area of law or new to the profession. Fortunately, we see a willingness of district attorneys to seek this assistance from colleagues on their own; however, we are able and willing to assist when called upon.

**X Providing malpractice insurance for volunteer pro bono lawyers:**

Again thanks to in-kind participation, our volunteer attorneys are covered by malpractice insurance carried by Indiana Legal Services. Currently no charge is made to our program for this coverage. This insurance is coverage for our pro bono casework only.

**X Establishing procedures to ensure adequate monitoring and follow-up, and to measure client satisfaction:**

After case referral, the plan administrator request periodic status from volunteers attorneys with regard to open cases. Clients are advised to contact the program administrator with questions and problems. Completion of evaluations forms is requested of clients and attorneys at case end to monitor the value of the attorney's efforts, the clients needs and eligibility and the overall program accessibility and performance. (see appendices)

**X Recognizing pro bono civil legal service by lawyers:**

We are proud to advise that we have coordinated our first attorney recognition event within the Inn of Court venue. Recognition was given for pro bono hours, cases and dedication. The event once again provided our district chairperson with the opportunity to convey our message and market our program needs to an assembly of attorney and judiciary.

Ideas for other avenues to recognize the work of our legal volunteers are a part of our planning process.



### BUDGET FORM – DISTRICT 14 - 2003

<b>COST CATEGORY</b>	<b>IOLTA /OTHER \$</b>	<b>IN-KIND \$ ILS</b>	<b>TOTAL</b>
<b>A. PERSONNEL COSTS</b>			
Plan Administrator	18,910		18,910
Employee Benefits	6,176		6,176
FICA EXPENSE	1,447		1,447
<b>TOTAL PERSONNEL COSTS</b>	<b>26,533</b>		<b>26,533</b>
<b>B. Non Personnel</b>			
Travel	1,830		1,830
Training/Pro Bono Networking	610		610
Postage	610		610
Print/Publications/Misc Office	1,830		1,830
Litigation Fund	6,100		6,100
Dues/Fees	122		122
Malpractice Insurance	915		915
Accounting/Audit	305		305
Self-insurance Fund	600		600
Space Rental & Utilities		2,928	2,928
Equipment Acquisition/Lease		1,610	1,610
Consumable Supplied		366	366
Telephone		2,928	2,928
Computer Repair		256	256
Library		73	73
Printing		117	117
Acquisition of Property		146	146
Contract Services		146	146
<b>TOTAL NON-PERSONNEL COSTS</b>	<b>12,922</b>	<b>8,572</b>	<b>21,494</b>
<b>TOTAL PROGRAM DISBURSEMENTS</b>	<b>39,455</b>	<b>8,572</b>	<b>\$48,027</b>
*Litigation Fund	6,100		
*Self-insured Reserve	600		

\*Reserves in this category are not required to be resubmitted to the IBF if not spent during the allocation calendar year.

### **Notes to Proposed Budget**

Funding required to service budget outlined above - \$39,455

IOLTA Funding Request- \$33,355

Funding from Other Sources - \$6,100

Indiana Legal Services, Inc. has advised that their in-kind participation will not include payment of plan administrator benefits in 2003. Plan administrator salary and benefits package is included in this funding request.

Malpractice insurance and accounting line items have been added to support a transition to nonprofit independence by incorporating and seeking 501(c) 3 status in 2002.

## **List of Appendices**

- 1. Logo, Letterhead**
- 2. Recruitment Brochure, Client Brochure (see back cover of report)**
- 3. Priorities Forum Report and Pictures**
- 4. Recognition Event Pictures**
- 5. 2001/2002 Analyses**
- 6. Sample Case Log**
- 7. Sample Meeting Minutes**
- 8. Case Evaluations**
- 9. Participating Attorney List**

## **SUBMISSION PROCEDURES**

Ten copies of the completed annual report and plan shall be submitted to:  
**Jennifer Theresa Cloyd Konomos, Indiana Pro Bono Commission, 230 East Ohio Street, Fourth Floor Indianapolis, Indiana 46204. Plans should be submitted no later than 5:00 p.m. on July 15, 2002.**

### **CHECKLIST FOR ANNUAL REPORT AND PLAN:**

- \_\_\_\_\_ Pro Bono Annual Report and Plan for current year pp. 1-20 (10 copies)
- \_\_\_\_\_ Proposed budget pp 18-19 (10 copies)
- \_\_\_\_\_ Legal Service Provider Annual Progress Report p.11 (10 copies)
- \_\_\_\_\_ District Annual Progress Report p.12 (10 copies)
- \_\_\_\_\_ Enclosures (10 copies)
- \_\_\_\_\_ Disk in Word or Excel of all submitted materials or submission via e-mail at  
probono@inbar.org

### **ANNUAL TIME TABLE FOR SUBMISSION OF FORMS AND CHECKS:**

January 1:	Checks distributed
January 31:	IBF final grant progress report for previous year due
June 1:	IBF mid-year grant progress report due
July 1:	Annual report, plan and grant application due to IPBC
November:	Notification of awards
December 1:	IBF grant agreement due and revised budget due (as needed)

**Additional information concerning these instructions or the submission of a plan may be obtained from Jennifer Theresa Cloyd Konomos, Indiana Pro Bono Commission, 230 East Ohio Street, Fourth Floor Indianapolis, Indiana 46204 or by calling at 317-639-5465 or by e-mail at [probono@inbar.org](mailto:probono@inbar.org).**



